

Mail Stop Amendment

**TRANSMITTAL
FORM**

(To be used for all correspondence after initial filing)

Application Number	10/535,597
Filing Date	May 19, 2005
Confirmation Number	7255
Inventor(s)	DENYER et al.
Group Art Unit	Unknown
Examiner	Unknown
Attorney Docket No.	02-91

Total Number of Pages in This Submission: 12

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form (submit in duplicate)	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and cover sheet
<input type="checkbox"/> Fee Attached \$ <input type="text"/>	<input type="checkbox"/> Cover Sheet	<input type="checkbox"/> After Allowance Communication to Group
Check No.: <input type="text"/>	<input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Request for Return of PTO-1449 Forms	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to the Commissioner	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits / Declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Request Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Address	<input type="checkbox"/> Small Entity Statement
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer(s)	<input type="checkbox"/> Request for Refund
<input checked="" type="checkbox"/> Form PTO-1449	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input checked="" type="checkbox"/> Cited References	<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/> Response to File Corrected Application Papers
<input checked="" type="checkbox"/> Search report		
<input type="checkbox"/> Drawing(s): Number of Pages _____	<input type="checkbox"/> Other Enclosure(s): _____	
Number of Figs. _____ and cover sheet		
<input type="checkbox"/> Formal		
<input type="checkbox"/> Informal		

Current Due Date: August 19, 2005

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual and Company	Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668		
Signature			
Date	August 19, 2005		

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450 on this date: <u>August 19, 2005</u> .			
Typed Name	Timothy Nathan, Reg. No. 44,256		
Signature		Date	August 19, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : DENYER et al.
Appln. No. : 10/535,597
Conf. No.: : 7255
Filed: : May 19, 2005
Title: : IMPROVED INHALATION METHOD AND APPARATUS
Group Art Unit : Unknown
Examiner : Unknown
Docket No. : 02-91

* * * * *

August 19, 2005

INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
and Trademarks
Alexandria, VA 22313-1450

Sir:

Attached is a Form PTO-1449 listing the enclosed documents.

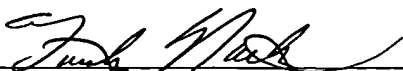
This Information Disclosure Statement is being filed within 3 months of the filing date of this application.

The listed documents were cited in the attached PCT Search Report issued in a counterpart foreign application.

In compliance with 37 C.F.R. § 1.98, Applicant is not required to provide a copy of any U.S. Patent or U.S. Patent Application publication listed in the accompanying form PTO-

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on August 19, 2005 with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Timothy Nathan, Reg. No. 44,256

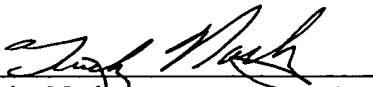
DENYER, et al. -- Appln. No.: 10/535,597

1449. However, Applicant will make available to the Examiner a copy of any document listed in the attached PTO-1449 form not otherwise available.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the herewith Form PTO-1449 with the Examiner's initials in the left column per M.P.E.P. § 609 along with an early action on the merits of this application are earnestly solicited.

Respectfully submitted,

By 
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PTO/SB/08 Form (RESPIRONICS Version) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application No.	10/535,597
				Filing Date	May 19, 2005
				Inventor	DENYER et al.
				Confirmation No.	7255
				Group Art Unit	Unknown
Date	August 19, 2005			Examiner:	Unknown
Sheet	1	of	1	Attorney Docket No:	02-91

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
		6,119,953	09-19-2000	Ganan-Calvo et al.	
		5,906,202	05-25-1999	Schuster et al.	
		5,713,349	02-03-1998	Keaney	
		5,404,871	04-11-1995	Goodman et al.	
		4,677,975	07-07-1987	Edgar et al.	
		2002/0104532	08-08-2002	Christrup et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Country Code-Number-Kind Code				
		GB 2 320 900 A	07-08-1998	The University of Sheffield		
		EP 0 910 421 B1	03-26-2003	Medic-Aid Limited		
		EP 0 824 023 A1	02-18-1998	Microflow Engineering SA		
		EP 0 627 266 B1	08-25-1999	Medic-Aid Limited		
		WO 94/17370	08-04-1994	Miris Medical Corporation		
		WO 98/52633	11-26-1998	Brand		
		WO 99/63946	12-16-1999	Aerogen, Inc.		
		WO 02/09574 A2	02-07-2002	Shofner Engineering Associates, Inc.		
		WO 03/059423 A1	07-24-2003	Aerogen, Inc.		
		WO 02/058771 A1	08-01-2002	Bacon		
		WO 01/58514 A1	08-16-2001	Medic-Aid Limited		
		WO 00/38770 A3	07-06-2000	Battelle Memorial Institute		
		WO 00/50111	08-31-2000	Voges		
		WO 00/24445 A1	05-04-2000	Medic-Aid Limied		

Examiner Signature		Date Considered	
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EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609. Draw a line through the citation if not in conformance and not considered. Per MPEP § 609, include a copy of this form with the next communication to the Applicant.